



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,931	04/10/2001	Yunqi Tian	18961.00	6640

37833 7590 09/23/2004

LITMAN LAW OFFICES, LTD.
P.O. BOX 15035 CRYSTAL CITY STATION
ARLINGTON, VA 22215

EXAMINER

BROWN, JAMES LEE

ART UNIT	PAPER NUMBER
----------	--------------

2144

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/828,931	Applicant(s) TIAN, YUNQI	
	Examiner James Brown	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/10/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ✓ | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>04/10/2001</u> . ✓ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been examined.
2. Paper #1, received 04/10/2001, has been entered into record.
3. Claims 1-29 are pending.

Priority

4. Claim for priority to non-provisional of provisional application No. 60/203,943, filed on May 12, 2000, has been made in this application.
5. The effective filing date for the subject matter defined in the pending claims in this application is 05/12/2000.

Drawings

6. The Examiner contends that the drawings submitted on 04/10/2001 are acceptable for examination proceedings.
-

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 5, 9, 10, 13, and 15 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. The applicant claims a concept called "Web Unit" and defines it as "a self-contained and distinguishable sub-entity of a web site" (Pg. 17, lines 6-7) "where it's URL has several levels". The Examiner is unable to ascertain where the distinction between a "web unit" and a web page/site lies based on the applicant's description.

10. By way of example, the applicant presents

<http://maxpages.com/dbnursery>

as an exemplary web site (Pg 17, line 5) and

<http://www.lakewoodconferences.com/wp>

~~as a web-unit.~~

11. At the time of invention it was well known that the general syntax of URLs was

`protocol://machinename.domainextension:port/path`

where path maps to web content in a subdirectory of a given host. Given the

applicant's examples, equivalent results would be produced. And thus, for the purpose

Art Unit: 2144

of this examination the Examiner will interpret "web unit" to mean web site/page in light of the applicant's use of "Webmaster" in the alternative with "Web unit builder". (For example see claims 5, 9, 10, 13, and 15)

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claim 10 rejected under 35 U.S.C. 102(e) as being anticipated by Tripp et al.

(U.S. Pat. No. 6,516,337), hereinafter known as Tripp.

14. In regards to claim 10, Tripp teaches an Internet search service system comprising:

(a) a search service provider server for guiding Web unit builders or Webmasters through an input process; (Col. 11, lines 15-27) [Web administrators generate brochure (site) index files by completing online forms or downloaded forms (element of agent software). It is well known in the art that forms contain instructions, or at a minimum, labels to guide a user in what information to insert.]

(b) a downloadable software means containing forms for self-submission by a Web unit builder or Webmaster. (Col. 13, lines 40-46) [As stated in the rejection of limitation 10(a), downloaded agent software includes forms that allow a web site administrator to create a brochure (site index) file that contains submission details.]

15. Claims 17-18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ryan et al. (U.S. Pat. No. 6,421,675 B1), hereinafter known as Ryan.

Art Unit: 2144

16. In regards to claim 17, Ryan discloses a search service provider server comprising:

(a) *a database to store Web unit indices and other search related information;* (Col. 11, lines 13-17) [Search engine data of the Ryan invention is stored in a database]

(b) *a multi-directory data structure(data table) to host categorized Web unit entries according to a subject classification scheme;* (Col. 6, lines 61-67) [Web page submissions are classified by keywords that the web page developer wants associated with the site. The keyword categories are stored in various data tables of a directory database of the Ryan invention.]

(c) *and a software means to process input information from Web unit builders or Webmasters.* (Col. 18, lines 36-49) [Information submitted by web developers directly updates a keyword URL link table in a database. And, it is well known in the art that data must be processed (i.e., parsed or otherwise manipulated) before database insertion.]

17. In regards to claim 18, Ryan discloses *means for detecting errors in input from Web unit builders or Webmasters.* (Col. 19, lines 1-12) [Ryan performs elementary error checking of developer submissions by comparing current entries to previous entries and preventing constant resubmissions.]

18. In regards to claim 20, Ryan discloses *a sorting means for automatically transforming input data to said database or said multi-directory structure (tables of data).* (Col. 18, lines 36-49)

[Ryan uses a database to automatically store developer data input. And as previously stated in the reject of claim 17, data must be sorted or otherwise manipulated before database insertion.]

Art Unit: 2144

19. In summary, Ryan discloses a search engine(search service provider server) that encompasses the functional limitations of the present invention as broadly claimed and thus, claims 17-18 and 20 are rejected.

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claims 1 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Perkowski (U.S. Patent No. 6,625,581 B1), hereinafter referred to as Perkowski, in view of Porter (U.S. Pat. No. 6,476,827 B1), hereinafter referred to as Porter.

22. In regards to claims 1 and 21, Perkowski teaches:

(c) *an in-site search engine tool kit*(a database, robot/agent, and search engine) [A limited version of the product database is downloaded at registration (Col. 9, lines 39-47). Applets (agents/robots) that search and retrieve user requested information are encoded within graphical images (Col.12, lines 17-29). An in-site search engine function is realized by the search interaction between an agent and a UPN/URL database management subsystem.]

23. Perkowski does not disclose expressly:

a personal directory for recording web pages and a personal search agent.

24. Porter discloses:

(a) *a personal directory for recording Web units or Web pages visited;* (Col. 4, lines 61 – Col. 5 line 2 and Col. 5, lines 62-67)

(b) *a personal search agent for conducting a further search* (Fig. 7b and Col. 7, lines 15-64) [Search scripts (agents) are used to retrieve web pages based on user search criteria.]

Art Unit: 2144

25. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a search agent to automate the collection of information pages of interest to the user. The motivation for doing so would have been to provide an improved approach to creating and maintaining a record of information pages of interest to the user as suggested by Porter. (Col. 1, lines 47-48)

26. In summary, Perkowski-Porter combined teach a system and method for conducting an Internet search service comprising: a personal directory for recording web pages, a personal search agent for searching, and an in-site search engine tool kit.

27. Claims 3 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski-Porter combined as applied to claims 1 and 21 above, and further in view of Ryan et al. (U.S. Pat. No. 6,421,675, B1), hereinafter referred to as Ryan.

28. In regards to claims 3 and 23, Perkowski-Porter combined teach:

(a) *a personal directory for recording Web units or Web pages visited;*

(b) *a personal search agent for conducting a further search*

(c) *an in-site search engine tool kit(a database, robot/agent, and search engine)*

29. Perkowski-Porter combined does not disclose expressly:

software means to analyze individual's search pattern and give Web users search improvement suggestions and recommend new Web units/sites based on the analysis

Art Unit: 2144

30. Ryan teaches:

software means to analyze individual's search pattern and give Web users search improvement suggestions and recommend new Web units/sites based on the analysis.
(Col. 24, lines 21-44) [Ryan discloses software that learns from the user's behavior and creates a customized search.]

31. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Perkowski-Porter with Ryan in order to provide users flexibility in choosing how their "default hit-list appears" (search results) as suggested by Ryan. (Col. 24, lines 7-8)

32. Claims 4-6 and 24-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Perkowski-Porter combined as applied to claims 1 and 21 above, and further in view of Laura Lemay (Teach Yourself Web Publishing with HTML 4 in 14 Days, Second Professional Reference Edition, 1997), hereinafter referred to as Lemay.

33. In regards to claims 4-6 and 24-26, Perkowski-Porter combined teach:

(a) *a personal directory for recording Web units or Web pages visited;*

(b) *a personal search agent for conducting a further search*

(c) *an in-site search engine tool kit(a database, robot/agent, and search engine)*

34. Perkowski-Porter combined does not disclose expressly:

(Claims 4 and 24) *a user feedback form for users to rate the Web units under certain quality criteria, to*

Art Unit: 2144

report any erroneous Web unit submission, and to suggest improvement on search quality.

(Claims 5 and 25) means to transmit said feedback forms to Web unit builders or Webmasters.

(Claims 6 and 26) a Web unit to post any unsolved search query for the Internet community to provide a solution.

(Claim 14) software includes a tutorial explaining the Web unit concept.

35. With respect to claims 4-6, 14, and 24-26, the Lemay reference teaches techniques for using web-based forms to solicit user feedback (Pg. 608-609, An Online Developer's Survey with Results), and implementing scripts to retrieve user data input (Pg. 537-538, Scripts to Process Forms and URL Encoding) was well known and practiced by those skilled in the Internet art at the time of invention. Techniques such as those claimed are provided as specific examples of methods for improve web-site development. In addition, Lemay disclosed the practice of using web-based newsgroups/forums/discussion groups (Pg. 624, A Web-Based BBS or Conferencing System) to solicit assistance for the online community on a variety of topics. Furthermore, Lamey is a tutorial on web site (unit) development that includes information on web site structure (Pgs. 427-432 and 471) that accomplishes the same result as the automated claim limitation. (See MPEP 2104.04)

36. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Perkowski-Porter with those of Lemay create a good web presentation as suggested by Lamey (Introduction).

Art Unit: 2144

37. Claims 9 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski-Porter combined as applied to claims 1 and 21 above, and further in view of Tripp et al. (U.S. Pat. No. 6,516,337 B1), hereinafter referred to as Tripp.

38. In regards to claims 9 and 29, Perkowski-Porter combined teach:

(a) *a personal directory for recording Web units or Web pages visited;*

(b) *a personal search agent for conducting a further search*

(c) *an in-site search engine tool kit(a database, robot/agent, and search engine)*

39. Perkowski-Porter combined does not disclose expressly:

an authoring tool for Web unit builders or Webmasters to create metadata for in-site search

40. Tripp discloses an agent that collects website meta data (Col. 6, lines 38-45) and brochure creation software that are available for inclusion in web authoring tools (Col. 16, lines 33-37).

41. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine Tripp with Perkowski-Porter to receive the benefit of preventing unauthorized third parties from being indexed along with a more popular site (Tripp col. 16, lines 18-31).

42. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tripp as applied to claim 10 above, and in view of Lamey.

Art Unit: 2144

43. In regards to claim 10, Tripp teaches an Internet search service system comprising:

(a) *a search service provider server for guiding Web unit builders or Webmasters through an input process;*

(b) *a downloadable software means containing forms for self-submission by a Web unit builder or Webmaster.*

44. In regards to claim 11, Tripp teaches software means that includes:

(a) *an electronic index form for Web unit builders or Webmasters to fill in the necessary items to describe the content in their Web units; (Col. 13, lines 40-46)*

[Downloaded agent software allows web site administrator to create, via form, a brochure (electronic site index) file that contains submission details that are uploaded to the central server.]

45. Tripp does not disclose expressly:

(Claim 11b) *an electronic multi-directory entry form for Web unit builders or Webmasters to locate the branches and nodes for their Web units;*

(Claim 12) *means for generating a standard data format from entries in said electronic index and said electronic multi-directory and transmitting the data back to said search service provider server.*

(Claim 13) *an electronic form for letting Web unit builders or Webmasters suggest new branches and nodes in multi-directory structure.*

46. Lamey teaches the following limitations:

(Claim 11b) *a multi-directory entry form for Web developers to submit website information. (Fig. 15.3 Form to add web site (web unit) to a search engine.)*

Art Unit: 2144

(Claim 12) *means for generating a standard data format from entries in said electronic index and said electronic multi-directory and transmitting the data back to said search service provider server. (Form data is encoded into a standard format and transmitted back to the server.) (Pg. 537 Topics: Form Layout and Form Scripts and Scripts to Process Forms)*

(Claim 13) *an electronic form for letting Web unit builders or Webmasters suggest new branches and nodes in multi-directory structure. (Pgs. 608-622) [The use of survey forms to collect user feedback is a technique well known and practiced in the art.]*

47. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the techniques illustrated in Lamey in order to attract visitors to a particular web site.

48. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tripp-Lamey combined as applied to claims 10-14 above, and in further view of Ryan.

49. In regards to claim 10, Tripp teaches an Internet search service system comprising:

(a) a search service provider server for guiding Web unit builders or Webmasters through an input process;

(b) a downloadable software means containing forms for self-submission by a Web unit builder or Webmaster.

50. In regards to claim 11, Tripp teaches software means that includes:

(a) an electronic index form for Web unit builders or Webmasters to fill in the necessary items to describe the content in their Web units; (Col. 13, lines 40-46)

Art Unit: 2144

(b) an electronic multi-directory entry form for Web unit builders or Webmasters to locate the branches and nodes for their Web units

51. Tripp-Lamey combined does not disclose expressly:

(Claim 15) means for reminding Web unit builders or Webmasters to submit the new information immediately.

(Claim 16) means for detecting any update or change in registered Web sites.

52. In regards to claims 15 and 16, Ryan teaches:

(Claim 15) means for reminding Web unit builders or Webmasters to submit the new information immediately.

(Col. 19, lines 24-30) [Software prompts (reminds) developer to change keywords (submit new information) as appropriate whenever web pages are significantly modified.]

(Claim 16) means for detecting any update or change in registered Web sites. (Col. 19, lines 24-30) [Updated data is submitted to the search engine automatically whenever web pages are significantly modified.]

53. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Tripp-Lamey with Ryan in order to remove the burden web developers manually submitting web page updates to the search engine service as suggested by Ryan. (Col. 19, lines 24-25)

54. Claims 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan, as applied to claim 17 above, in view of Tripp.

55. Ryan discloses a search service provider server comprising:

(a) a database to store Web unit indices and other search related information;

Art Unit: 2144

(b) *a multi-directory data structure (data table) to host categorized Web unit entries according to a subject classification scheme;*

(c) *and a software means to process input information from Web unit builders or Webmasters.*

56. Ryan does not expressly disclose:

an e-mail means for sending feedback to Web unit builders or Webmasters regarding errors in their input.

57. Tripp teaches:

an e-mail means for sending feedback to Web unit builders or Webmasters regarding errors in their input. [Once web site builders install brochure files the central server checks the validity of the file (Col. 11, lines 57-61) and notifies the web site builder, via automatic e-mail if errors are detected in the brochure file (Col. 16, lines 9-14)]

58. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Ryan with Tripp in order to prevent the unauthorized creation of information about a site by a third party as suggested by Tripp. (Col. 16, lines 19-25)

59. Claims 2, 7, 8, 22, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski-Porter combined as applied to claims 1 and 21 above, and further in view of Williams, Jr. (U.S. Pat. No. 6,108,686 B1), hereinafter referred to as Williams.

60. In regards to claims 2, 7, 8, 22, 27, and 28, Perkowski-Porter combined teach:

Art Unit: 2144

(a) *a personal directory for recording Web units or Web pages visited;*

(b) *a personal search agent for conducting a further search*

(c) *an in-site search engine tool kit(a database, robot/agent, and search engine)*

61. Perkowski-Porter does not disclose expressly:

software means which automatically updates said personal directory to reflect changes in Web units and in directory structure and for informing Web users of the changes immediately.

62. Williams teaches:

(Claims 2 and 22) *software means which automatically updates said personal directory to reflect changes in Web units and in directory structure and for informing Web users of the changes immediately. (Abstract) [Agent automatically communicates with web sites and collects information of interest to the user.]*

(Claims 7 and 27) means to allow communication between said search agent and said personal directory wherein said search agent can carry search requests to the Web units in the said personal directory to initiate said in-site search engine tool kit for a more specific search or act as a Web robot to search a Web unit following the navigation structure built into the Web unit. (Col. 3, lines 2-18) [Agent uses personalized search

rules to carry request to remote databases and initializes in-site search for specific content with remote database. Retrieved content maybe stored in local database (personal directory).]

(Claims 8 and 28) software means to let said in-site search engine tool kit perform communication with said personal search agent regarding Web users' search needs

(Col. 5, lines 49-60) [Agent uses search rules to interact with remote databases (in-site search engines) to collect information of interest to the user.]

Art Unit: 2144

63. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Perkowski-Porter and Williams to improve the overall speed of access as perceived by the user as suggested by Williams.

(Col.3 lines 16-17)

Conclusion

64. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McBrearty et al. (U.S. Pat. No. 6,651,091 B1) teaches a system for web searching.


Bauersfeld et al. (U.S. Pat. No. 6,195,679 B1) teaches recording web pages.

65. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to James Brown whose telephone number is (571) 272-9324. The Examiner can normally be reached on Monday-Friday from 9am to 4pm. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, William Cuchlinski, can be reached at (703) 308-3873. The fax phone number for this Group is (703) 872-9306. Inquiries of a general nature relating to the general status of this application or proceeding should be directed to the 2100 Group receptionist whose telephone number is (703) 305-3900.

James Brown

Patent Examiner

Group Art Unit 2144


WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3000